



Order Filed on August 2, 2017 by
Clerk U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

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In Re:

DOMENICO LOMUSCIO,

Debtors.

Case No. 13-12101

Chapter: 13

Hearing Date:

Judge: JOHN K SHERWOOD

ORDER APPROVING POST-PETITION LOAN MODIFICATION

The relief set forth on the following pages numbered two (2) through three (3) is hereby
ORDERED.

DATED: August 2, 2017



Honorable John K. Sherwood
United States Bankruptcy Court

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Caption: Order Approving Post-Petition Loan Modification

THIS MATTER, being opened before the Court by Scott D. Sherman, Esq., attorney for the Debtor, Domenico Lomuscio, and this Court having considered argument of counsel and good cause appearing, and there being no opposition.

IT IS HEREBY, ORDERED, that the debtor is hereby authorized to enter into a loan modification agreement on the first mortgage held by Caliber Home Loans on real property located at 199A-9 North Beverwyck Road, Parsippany, NJ 07034 and it is further,

ORDERED, that any substantial changes to the loan modification as proposed prior to execution of same shall require further Order of this Court; and it is further,

ORDERED, In the event a loan modification is completed and the pre-petition arrearage are capitalized into the loan, Secured Creditor shall amend the arrearage portion of its Proof of Claim to zero or withdraw the claim within thirty (30) days of completion of the loan modification and it is further

ORDERED, The Chapter 13 Trustee shall suspend disbursements to secured creditor pending completion of loan modification and all money that would otherwise be paid to secured creditor, be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the secured creditor that the modification was not consummated and it is further.

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ORDERED, In the event the modification is not consummated, the secured creditor shall notify the Trustee and debtor's attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to secured creditor. and it is further

ORDERED, In the event the Proof of Claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to other creditors in accordance with the provisions of the confirmed plan and it is further

ORDERED, with respect to any post- petition orders, claims for post-petition mortgage arrears, and orders for creditor's attorney's fees which are being capitalized into the loan, secured creditor will amend any and all post- petition orders or claims within 30 days after completion of the loan modification and it is further;

ORDERED, that Debtors shall file a Modified Plan and Budget within 30 days from the entry of this Order, and it is further;

ORDERED, that the 14 day period under Fed. R. Bankr. P. 6004 is hereby waived.